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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,240	10/15/1999	MAKOTO TATEBAYASHI	NAK1-BI69	9950

21611 7590 05/18/2004

SNELL & WILMER LLP
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EXAMINER

SONG, HOSUK

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/419,240

Applicant(s)

TATEBAYASHI ET AL.

Examiner

Hosuk Song

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11, 12 and 21-41 is/are rejected.
- 7) ☒ Claim(s) 6-10, 13-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. The previous action is incorporated by reference in its entirety. Particularly, the specific indication of various claim elements which will not be reiterated in this action. The statutory basis for each rejection is repeated below:

Claims 1-5,11-12,21-41 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Jovanovich et al.(US 5,703,950) in view of Matsumoto et al.(US 6,286,008).

Allowable Subject Matter

3. Claims 6-10,13-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Amendment

4. The rejections of claims 1-5,11-12,21-41 of the previous action are maintained.
5. Applicant's arguments filed 03 March 2004 have been fully considered but they are not persuasive.

Applicant has argued that Jovanovich patent disclose that device ID is not sent secretly or transmitted encrypted. **In response:** Examiner disagrees. Device ID disclosed in Jovanovich is sent secretly by means of secret channel. Note in (col.5, lines 25-36 and Tables 1,2) shows that device ID is transmitted from any channels ranging from 0-8. The process of choosing channel numbers is randomly selected and only master computer and remote device knows the configuration. This is a teaching that device ID is transmitted secretly because

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employing random numbers to the channels is known only between two devices as to how and which channel is used for data transfer. **Applicant has argued that** Jovanovich teaches only one sided authentication and not mutual authentication. **In response:** Examiner directs applicant to previous Office action(claim 1 rejection) which examiner specifically indicated that Jovanovich does not disclose mutually authenticating between two apparatus. Examiner has cited Matsumoto's patent for teachings of mutual authentication between two devices in making the rejections. **Applicant has argued that** Matsumoto's patent does not teach encrypting the content using device ID information. **In response:** Nowhere in the previous Office action where examiner used Matsumoto patent in support of encrypting the content using device ID. Jovanovich discloses using device ID to encrypt the content and Jovanovich specifically disclosed that device ID is used as an encryption key in (col.4,lines 4-9). **Applicant has argued that** in claim 2, the authentication taught by Jovanovich relies on the host computer receiving an unencrypted device ID that can be verified by a lookup in a database of valid device IDs. **In response:** Examiner request where in claim 2, applicant is claiming device ID is encrypted. **Applicant has argued that** the secret information disclosed by Matsumoto is not the device ID as suggested in the Office action. **In response:** examiner respectfully disagrees. Col.4,lines 1-19 specifically discloses mutual authentication between two devices using hardware ID. **Applicant has argued that** device ID of Jovanovich is not protected during transmission and method describe by Jovanovich does not describe secretly transmitting the inherently key. **In response:** Examiner disagrees. Device ID disclosed in Jovanovich is sent secretly by means of secret channel. Note in (col.5, lines 25-36 and Tables 1,2) shows that device ID is transmitted from any channels ranging from 0-8. The process of choosing channel numbers is randomly selected and only master computer and remote device knows the configuration. This is a teaching that device ID is transmitted secretly because employing random numbers to the

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channels is known only between two devices as to how and which channel is used for data transfer.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

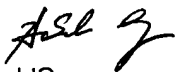
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

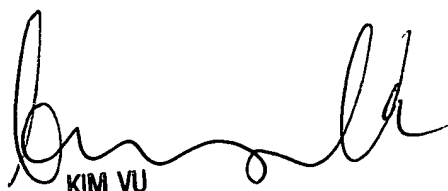
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 703-305-0042. The examiner can normally be reached on Tue-Fri from 6:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


HS


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